

**PETITION**

PETITION  
PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A: 37  
TO ORGANIZE THE  
AMHERST BUSINESS IMPROVEMENT DISTRICT  
AMHERST, MASSACHUSETTS  
FILED: SEPTEMBER 15, 2011  
AMHERST TOWN CLERK

TO THE SELECT BOARD OF THE TOWN OF AMHERST

The undersigned, being the owners of at least fifty-one percent (51%) of the assessed valuation of all real property in the proposed Business Improvement District and being at least sixty percent (60%) of all real property owners within the proposed Business Improvement District, do hereby petition, pursuant to Massachusetts General Laws (M.G.L.) Chapter 40 O, for the establishment of the AMHERST BUSINESS IMPROVEMENT DISTRICT (the "District").

1. A boundary description of the proposed District is attached as "Exhibit A" and incorporated herein; the District shall be comprised of the area contained within the boundary described therein. A site map delineating the perimeter boundary of (and all properties within) the proposed District is attached as "Exhibit B" and incorporated herein.

2. The proposed Improvement Plan, as that term is defined in M.G.L. c. 40 O, Section 1, including proposed supplemental services and programs, revitalization strategy, budget structure and fee structure of the District, is attached as "Exhibit C" and incorporated herein.

3. All private and public properties within the boundaries described in Exhibit A shall be included in the District, with the exception of residential condominiums and residential buildings with less than four (4) units. The proposed District annual fee schedule is as follows:

- a. Commercial properties will have a fee equal to the assessed value multiplied by .005.
- b. Commercial components of mixed-use properties will have a fee equal to the assessed value multiplied by .005, and residential components will have a fee equal to the assessed value multiplied by .001.
- c. Public/academic and non-profit properties will have negotiated fee agreements with contributions of cash and/or in-kind services.
- d. Hotels/Inns/B&Bs will have a fee of \$200/room per year, which may be increased annually by a percentage not greater than the percentage by which the real estate tax rate in Amherst for commercial properties has increased over the prior fiscal year.

4. The District will be managed by the Board of Directors of a non-profit corporation formed pursuant to M.G.L. c. 180 et. seq., to be named "Amherst Business Improvement District, Inc." (the "District Corporation"). The offices of the District Corporation will be located within the District.

5. The proposed Improvement Plan includes the criteria for waiving the District fee for any property owner within the District who can provide evidence that the imposition of such fee would create a significant hardship.

6. The Town Assessor's Certificate, certifying that in accordance with Massachusetts General Laws Chapter 40 O, § 3, the signatures meet and exceed the required sixty percent (60%) of the real property owners within the District and the required fifty-one percent (51%) of the assessed valuation of all real property within the District, is attached as "Exhibit D."

WITNESS our hands and seals on the dates adjacent to our signatures.

AmhBID1176520



DATED: 7/9/11

[illegible]

DATED: 8/23/11

✓  
✓  
✓

ASSENT  
TO THE PETITION TO THE  
TOWN OF AMHERST SELECTS BOARD PURSUANT TO MASS. G.L.C.40 O.  
TO ESTABLISH THE AMHERST BUSINESS IMPROVEMENT DISTRICT  
DATED: \_\_\_\_\_

HUB-05-2011(FRI) 13:31 AMMERST AREA CHAMBER OF COMMERCE (FAX)413 256 0771 P.001/001

DATED: 2/8/11

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DATED: 8/23/11

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## 8

DATED: 4/14/2011

Date	Name (Print)	Signature	Property Address
4/14/11	TIM BRASSORD	[Signature]	30 Boltwood Ave
"	"	[Signature]	79 South Pleasant
"	"	[Signature]	214 Main St
"	"	[Signature]	280 Main St.
"	"	[Signature]	101 South Pleasant
"	"	[Signature]	23 Spring St
"	"	[Signature]	31 Spring St
"	"	[Signature]	37 Spring St
*	JIM BRASSORD -	Board member/officer of Amherst den O'Barry	
**	JIM BRASSORD -	DIRECTOR / ASSOC TREASURER signing for Amherst College	

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DATED: 3/4/11

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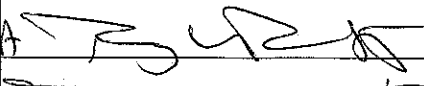
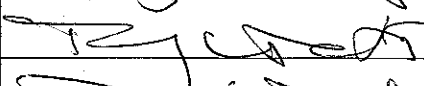
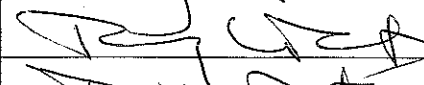
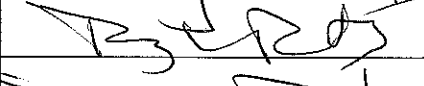
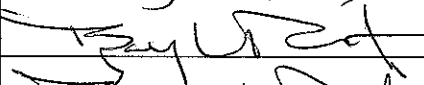
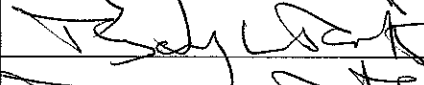
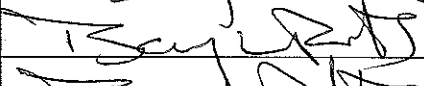

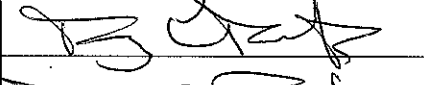
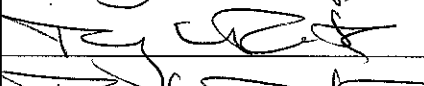
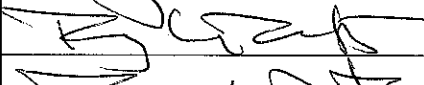
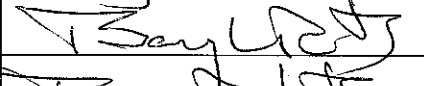
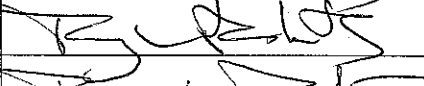
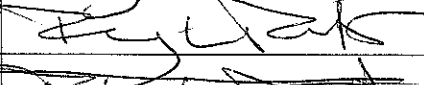

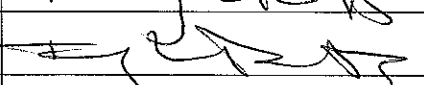


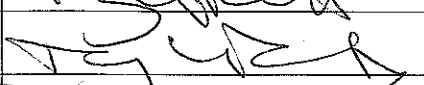
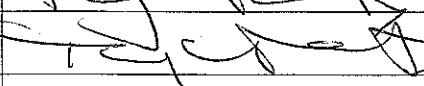

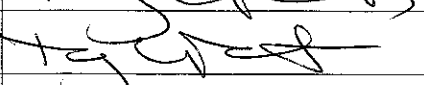


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ASSENT  
TO THE PETITION TO THE  
TOWN OF AMHERST SELECTS BOARD PURSUANT TO MASS. G.L.C.40 O,  
TO ESTABLISH THE AMHERST BUSINESS IMPROVEMENT DISTRICT  
DATED: 2/25/11

Date	Name (Print)	Signature	Property Address
✓ 2/25/11	87 North Pleasant St Family PA		87 North Pleasant
✓ "	Amherst Cinema LLC		28 Amity # 1A
✓ "	" " "		" " # 2A
✓ "	" " "		" " # 1G
✓ "	" " "		" " # 1F
✓ "	" " "		" " # 1E
✓ "	" " "		" " # 1D
✓ "	" " "		" " # 1C
✓ "	" " "		" " # 1B
✓ "	Cool Block Associates		4 Main St # G2
✓ "	" " "		" " " # 1A
✓ "	" " "		8 Main St # 1B
✓ "	" " "		8-12 Main St # G-1
✓ "	" " "		8 Main St # 1C
✓ "	<del>XXXXXXXXXXXXXXXXXXXX</del>	<del>XXXXXXXXXXXXXXXXXXXX</del>	<del>XXXXXXXXXXXXXXXXXXXX</del>
✓ "	EV Realty Trust		11 Amity
✓ "	Roberts Developments Inc.		336 North Pleasant
✓ "	" " "		336 North Pleasant
✓ "	Barry L Roberts		103 North Pleasant
✓ "	Susan B + Barry L Roberts		346 North Pleasant
✓ "	Everett L Roberts, Trustee		96-110 North Pleasant
✓ "	" " "		178 North Pleasant
✓ "	Gray Street LLC		236 North Pleasant

DATED: \_\_\_\_\_



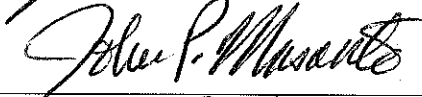





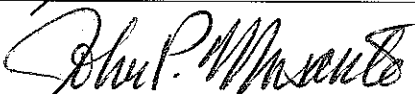

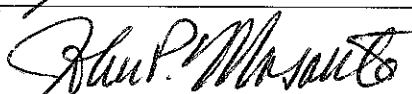

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ASSENT  
TO THE PETITION TO THE  
TOWN OF AMHERST SELECTS BOARD PURSUANT TO MASS. G.L.C.40 O,  
TO ESTABLISH THE AMHERST BUSINESS IMPROVEMENT DISTRICT  
DATED: February 10, 2011

Date	Name (Print)	Signature	Property Address
2/9/2011	John P. Musante		Amity Parking Lot AMITY ST
2/9/2011	John P. Musante		Kendrick Park EAST PLEASANT ST
2/9/2011	John P. Musante		Gates Lot LESSEY ST
2/9/2011	John P. Musante		Sweetser Park LESSEY ST
2/9/2011	John P. Musante		Central Fire Station Parking Area NORTH PLEASANT ST
2/9/2011	John P. Musante		CVS Parking Lot NORTH PROSPECT ST
2/9/2011	John P. Musante		Parking Lot PRAY ST
2/9/2011	John P. Musante		Town Hall 4 BOLTWOOD AVE
2/9/2011	John P. Musante		Parking Garage 51 BOLTWOOD WALK
2/9/2011	John P. Musante		Bangs Community Center 70 BOLTWOOD WALK
2/9/2011	John P. Musante		Police Station 111 MAIN ST
2/9/2011	John P. Musante		Central Fire Station 68 NORTH PLEASANT ST

ASSENT  
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TO ESTABLISH THE AMHERST BUSINESS IMPROVEMENT DISTRICT  
DATED: 2/1/11

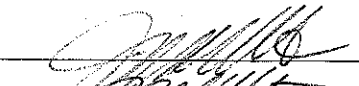
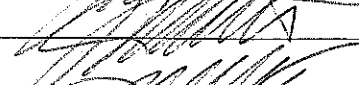
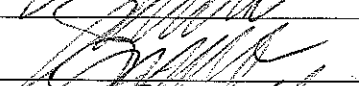
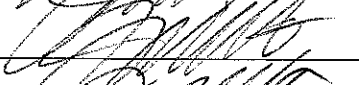
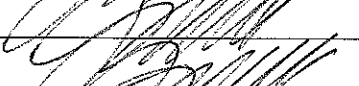
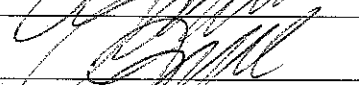
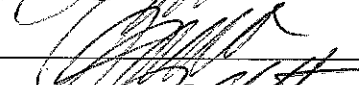
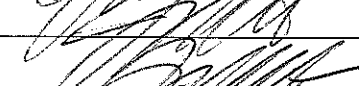
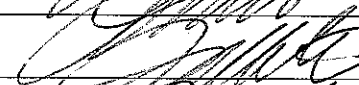
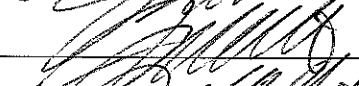
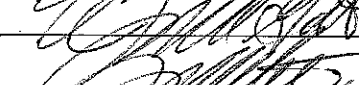
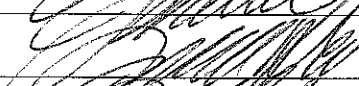
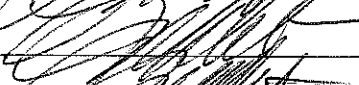
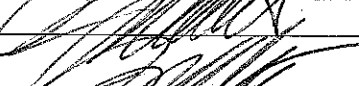
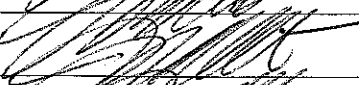
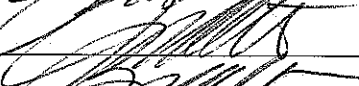
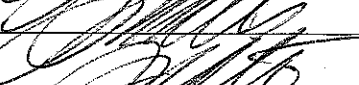
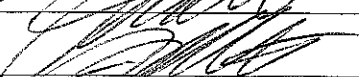
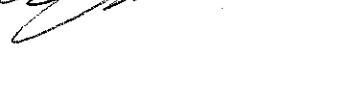

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ASSENT  
TO THE PETITION TO THE  
TOWN OF AMHERST SELECTS BOARD PURSUANT TO MASS. G.L.C.40 O,  
TO ESTABLISH THE AMHERST BUSINESS IMPROVEMENT DISTRICT

DATED: May 30, 2011

Date	Name (Print)	Signature	Property Address
	Jerold Gates/Rachel Johnson		233 N.P. Block #13
	Jerold H. Gates		" " " #22
	" " "		" " " #18
	" " "		" " " #28
	" " "		" " " #12
	" " "		" " " #36
	" " "		" " " #7
	" " "		" " " #33
	" " "		" " " #17
	" " "		" " " #14
	" " "		" " " #30
	" " "		" " " #40
	" " "		" " " #37
	" " "		" " " #23
	" " "		" " " #16
	" " "		" " " #26
	" " "		" " " #11
	" " "		" " " #39
	" " "		" " " #25
	" " "		" " " #15
	" " "		" " " #35
	" " "		" " " #32
	" " "		" " " #6
	" " "		" " " #21

DATED: \_\_\_\_\_

AMHERST CARRIAGE SHOPS LLC

[illegible]



[illegible]

[illegible]

[illegible]

**EXHIBIT A**

EXHIBIT A  
TO THE PETITION TO THE SELECT BOARD FOR ORGANIZATION  
OF THE AMHERST BUSINESS IMPROVEMENT DISTRICT

The Business Improvement District includes the following properties, and others, and is bounded:

westerly, by all the properties having frontage on the westerly line of North Pleasant Street commencing at the north with the property having frontage on the westerly line of North Pleasant Street that is immediately north of the intersection of North Pleasant Street and Butterfield Terrace (Town Assessors Map 11A-Lot 29) and continuing south to and including the property having frontage on the westerly line of North Pleasant Street and the southerly line of McClellan Street (Town Assessors Map 11C-Lot 179);

also westerly by the property having frontage on the northerly line of Hallock Street shown as Town Assessors Map 11C-Lot 198;

also westerly, by the property having frontage on the southerly line of Hallock Street shown as Town Assessors Map 11C-Lot 223 and the property immediately south thereof shown as Town Assessors Map 11C-Lot 225;

also westerly, by the property having frontage on the northerly line of Cowles Lane shown as Town Assessors Map 11C-Lot 232;

also westerly, by the properties having frontage on the easterly lines of North Prospect Street and South Prospect Street south of Cowles Lane and north of Sellen Street;

southerly, by the northerly line of Sellen Street;

also westerly, by the westerly line of the Town Common from the intersection of South Pleasant Street and Sellen Street to College Street;

southerly and easterly, by the Town Common north of College Street;

also southerly, by the properties having frontage on the southerly line of Spring Street from Boltwood Avenue east to Churchill Street;

also southerly, by the properties having frontage on the southerly line of Main Street from Churchill Street to the railroad right-of-way south of Main Street;

also westerly, southerly and easterly by the property south of Main Street shown as Town Assessors Map 14B-Lot 809, which includes the railroad right-of-way and has easterly frontage on Railroad Street;

also easterly, by the property shown as Town Assessors Map 14B-Lot 68, which is the more easterly of the two lots lying between the railroad right-of-way and Gray Street having frontage on the northerly line of Main Street;

northerly, by the two properties having frontage on the northerly line of Main Street between the railroad right-of-way and Gray Street;

also northerly, by the properties having frontage on the northerly line of Main Street between Triangle Street and the intersection of Lessey Street and Main Street;

easterly, by the property having frontage on the northerly line of Lessey Street north of its intersection with Main Street shown as Town Assessors Map 14A-Lot 61 and the other properties extending north therefrom to Kellogg Avenue, shown as Town Assessors Map 14A-Lots 343, 305 and 64;

also easterly, by the property having frontage on the north line of Kellogg Avenue shown as Town Assessors Map 11C-Lot 290 and the property abutting it to the north shown as Town Assessors Map 11C-Lot 285;

also easterly, by all the properties abutting the westerly line of West Cemetery commencing with the property shown as Town Assessors Map 11C-Lot 281 and running north along the westerly line of West Cemetery to Triangle Street;

also easterly, by the properties having frontage on the north line of Triangle Street shown as Town Assessors Map 11D-Lots 40 and 42;

northerly, by the same lot shown as Town Assessors Map 11D-Lot 40 and the properties to its west having frontage on the northerly line of Triangle Street running west to its intersection with East Pleasant Street;

again easterly, by the property having frontage on the northerly line of Triangle Street and the westerly line of East Pleasant Street shown as Town Assessors Map 11C-Lot 252 and the property immediately north thereof shown as Town Assessors Map 11C-Lot 253;

easterly and northerly, by the property shown as Town Assessors Map 11C-Lot 250;

also easterly, by the properties having frontage on the easterly line of North Pleasant Street running north from the property shown as Town Assessors Map 11C-Lot 279 to Butterfield Terrace, excluding the portion east of the frontage strip of the property shown as Town Assessors Map 11C-Lot 248;

and northerly, by the property having frontage on the easterly line of North Pleasant Street and the southerly line of Butterfield Terrace and the property having frontage on the westerly line of North Pleasant Street that lies immediately north of the intersection of Butterfield Terrace and North Pleasant Street (Town Assessors Map 11A-Lot 29).

5. The proposed Improvement Plan includes the criteria for waiving the District fee for any property owner within the District who can provide evidence that the imposition of such fee would create a significant hardship.

6. The Town Assessor's Certificate, certifying that in accordance with Massachusetts General Laws Chapter 40 O, § 3, the signatures meet and exceed the required sixty percent (60%) of the real property owners within the District and the required fifty-one percent (51%) of the assessed valuation of all real property within the District, is attached as "Exhibit D."

WITNESS our hands and seals on the dates adjacent to our signatures.

AmhBID1176520

**EXHIBIT B**





Property information is current as of September 8, 2011.  
 Horizontal Datum: MA Stateplane Coordinate System, Zone 41S1,  
 Datum: NAD83, Feet  
 Vertical Reference Datum: NAVD83  
 Aerial Photography: April 13, 2009  
 Parcels mapped through a "batch" methodology to match the base map; reviewers are ongoing.  
 The Town of Amherst and its mapping contractors assume no legal responsibility for the information contained herein.

## Proposed Amherst Business Improvement District (BID)



Town of Amherst



150 75 0 150 Feet  
 1 inch = 150 feet

[gis.amherstma.gov](http://gis.amherstma.gov)



AMHERST BUSINESS IMPROVEMENT DISTRICT  
IMPROVEMENT PLAN

Exhibit C to Petition  
Pursuant to Massachusetts General Laws Chapter 40 O

Amherst, Massachusetts  
Filed: September 15, 2011

AMHERST BUSINESS IMPROVEMENT DISTRICT  
IMPROVEMENT PLAN

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## AMHERST BUSINESS IMPROVEMENT DISTRICT

### IMPROVEMENT PLAN

Over the past 30 years, Business Improvement Districts have been a proven tool in over 1,200 large and small communities across the United States. Through self-imposed fees for services, property owners have aided in the renewal of their areas by cooperatively pooling resources to provide a wide range of services and programs not provided in the communities' basic public services. Historically, these service elements have included:

- Physical improvements
- Supplementing public services
- Improving the downtown marketplace
- Marketing and public relations
- Illumination of the streets
- Addressing social needs
- Improving access and mobility
- Guiding economic development

The Amherst Business Improvement District ("ABID") will provide a comprehensive supplemental package of programs and services that will create an attractive, safe, well programmed and aggressively promoted location in which to live, conduct business, shop and visit. The ABID will establish a private sector-directed entity to provide programs and services that supplement the basic services provided by the Town of Amherst and other organizations. The ABID will be a partnership with the Town, other public property owners, private property owners, academic institutions and non-profit organizations, with the goal of generating greater attractiveness and profitability through cooperation than any individual property owner could accomplish alone.

The following is a brief description of the ABID program components within the approved area (the "District").

#### **I. MARKETING PROGRAM**

The ABID marketing program will put a strong emphasis on marketing the District to both potential businesses and consumers including the valuable customer base represented by the academic community and its visitors. The ABID will promote the unique "Amherst Brand" to a broad audience of businesses, residents and visitors.

Through special events, common advertizing and public relations, tours and an expanded One Card program, the ABID will promote businesses, dining and cultural/entertainment attractions in downtown Amherst.

## **A. Program Elements**

### **Marketing Program**

1. Support Amherst Brand program
2. Market Research
3. Marketing/Advertising for Consumers and Businesses
4. Information Kiosks and Signage
5. Website and Social Media

### **Special Events**

1. Art/Culture/Speaker series/festivals
2. Restaurant Weeks or other events

### **College/University Marketing Initiative**

1. Promote ABID in marketing materials  
College/University Concierge – ABID tours by college/university for visitors and students
2. Expansion of One Card Program
3. College/University Events

## **B. Objectives**

1. Increase the number of visitors and expenditures in the ABID from within the Pioneer Valley as evidenced in top line results for downtown businesses and attractions.
2. Enhance employee, office worker and resident experience.
3. Enhance visitor experience, including shoppers and professional office clients.
4. Increase occupancy for retail, office and residential opportunities.
5. Promote award winning attributes of downtown Amherst.
6. Enhance and add special events and entertainment programs.
7. Create business promotions geared to increase customers and tenants.
8. Increase cross-promotional opportunities with attractions, restaurants, shopping, transportation, institutional attractions, and cultural and entertainment venues.
9. Develop ongoing public relations opportunities to promote the ABID.
10. Maximize and leverage public and private resources available for marketing.

## **II. MAINTENANCE/BEAUTIFICATION PROGRAM**

### **A. Overview**

The ABID will create enhanced levels of seasonal and targeted maintenance to maintain a high level of cleanliness in the ABID. It will also add landscaping and decorative lighting or other enhancements to help tie the District together as a destination. The downtown will be an even more attractive place to enjoy and in which to work, shop, gather, connect and socialize.

The maintenance programs will supplement the general maintenance efforts of the Amherst Departments of Public Works.

**B. Maintenance/Beautification Program Components**

1. Enhanced maintenance – Bi- weekly Sidewalk/Troubleshooting for Hotspots in the ABID.
2. Targeted Snow Removal
3. Graffiti Removal
4. District-wide Landscaping and Plantings
5. Decorative Lighting

**III. BUSINESS DEVELOPMENT**

The ABID will focus on recruitment and retention of businesses in downtown Amherst. The ABID will partner with the Town of Amherst to create a streamlined permitting process, encourage multi-use sidewalks and music venues. It will undertake market analysis to identify customer needs, new markets and business opportunities, and help develop incentives for businesses to locate in downtown Amherst.

**Business Development Program Components**

1. Business Ombudsman
2. Market Analysis
3. Retail Incentive Strategy
4. Music Venues
5. Multi-Use Sidewalks

**IV. TRANSPORTATION/PARKING**

The ABID will work in collaboration with the Town of Amherst to implement a comprehensive approach to manage parking and provide transportation in downtown Amherst that is convenient, affordable and fun.

**Parking/Transportation Program Elements**

1. 5 College Shuttle
2. Bike Storage
3. Valet Program
4. Parking Management participation

**V. PUBLIC INFRASTRUCTURE PROJECTS/ADVOCACY**

The ABID, in partnership with the Town of Amherst, will undertake programs to enhance the physical and economic development of the District and the convenience and comfort of those who use it. The ABID will be an active participant with other key stakeholders to represent the

needs of the ABID as major downtown infrastructure projects are developed. The ABID will communicate with its members regarding projects that will impact the District. The ABID will work with the Town of Amherst to identify and advocate for funding to address infrastructure needs of the ABID.

### **Public Infrastructure Program Elements**

1. Public Bathrooms
2. Gateway Project
3. Kendrick Park

## **VI. ADMINISTRATION/MANAGEMENT**

The ABID will be managed by the Board of Directors of the Amherst Business Improvement District, Inc. (the "Corporation"), a non-profit corporation whose directors will be participating members of the ABID. The Corporation will contract for appropriate office space, equipment and general staff support for its administrative operations. The offices of the Corporation will be located within the District.

### **General Provisions**

1. As determined by the Board of Directors, the Corporation may provide such additional programs and services as are permitted by law.
2. The District shall exclude residential condominiums and residences with less than four (4) units.
3. The Corporation may incur indebtedness in the course of providing the programs and services permitted by law.
4. The Board of Directors will set policy and the budget for the ABID. Daily operations will be conducted by ABID staff.
5. The Corporation shall have all of the powers permitted by G.L. c. 40 O and other provisions of law, and as set forth in its Articles of Organization and its By-Laws.

## **VII. SERVICES OF THE TOWN OF AMHERST**

The Town of Amherst has agreed to enter into a Memorandum of Understanding to provide municipal services within the District.

### **A. Baseline Services**

The Memorandum of Understanding includes detailed lists of programs and levels of services currently provided by the Town through its respective municipal departments (the "Baseline Services"), which the Town shall continue to provide within the District.

### **B. Baseline Plus - Town Participation in BID**

1. Fund BID at the rate of \$0 in year 1, \$15,000 in year 2, and \$20,000 in year 3 and \$ 30,000 annually beginning in year 4.



2. Purchase equipment to execute the maintenance and landscaping program undertaken by the BID. Initial acquisition will include a sidewalk sweeper. The Town will provide storage, maintenance, and fuel for the equipment. Acquisition of additional equipment will be considered and negotiated based on need, funding availability, and mutually agreed upon schedule of acquisition.
3. Provide quarterly BID billing and collection at no cost to the BID and maintain the official database of BID members.
4. The Town will provide police, DPW and other Town services for a series of up to four marketing events developed by the BID, Amherst College and/or UMASS with dedicated hours and thresholds of service such as College Welcome Events, Restaurant Week, Sidewalk Sales, and one other event to be mutually identified at no additional cost to the BID.
5. The Town and the BID will undertake a comprehensive landscape and streetscape design plan for the District and will work to secure funding for long term streetscape improvements in the District.
6. The Town will match tree replacements within the BID on a one-for-one basis and seek available grants for tree planting.
7. The Town will develop a plan to design and build public bathroom facilities in the BID and work jointly to secure funding for implementation.
8. The Town will invest up to \$110,000 in new parking system infrastructure in year 1 as part of the installation of a new parking management system in the BID. The Town will include the BID on the parking advisory committee to develop policy relating to pricing, administration, management and parking enforcement within the BID.
9. The Town will assign a staff person to serve as ombudsman to facilitate business development and permitting process in downtown Amherst.
10. The Town will work with the BID, U Mass and Amherst College to develop and promote a Bus Loop for linking academic institutions and the BID.

### **C. Rules and Regulations**

The Town will agree not to impose additional rules and regulations upon the ABID or the Board of Directors of the Corporation.

## **VIII. FEE STRUCTURE**

### **A. ABID Fees**

All private and public properties are included in the District except residential condominiums and residences having less than four (4) units. The ABID annual fee schedule is:

1. Commercial properties will have a fee equal to the assessed value multiplied by .005.
2. Commercial components of mixed-use properties will have a fee equal to the assessed value multiplied by .005, and residential components will have a fee equal to the assessed value multiplied by .001.
3. Public/academic and non-profit properties will have negotiated fee agreements with contributions of cash and/or in-kind services.
4. Hotels/Inns/B&Bs will have a fee of \$200/room per year, which may be increased annually by a percentage not greater than the percentage by which the real estate tax rate in Amherst for commercial properties has increased over the prior fiscal year.

#### **B. Waiver of Fee**

The ABID may waive or reduce the annual District fee for any member for whom the imposition of such a fee would create a significant financial hardship based on policies established by the Board of Directors.

Applications for waivers will be available annually at the offices the of Corporation. The Corporation may request additional or sufficient information from the member to evaluate the claimed hardship. Applications will be reviewed by the Board of Directors, or a committee designated by the Board of Directors. A member not satisfied with the initial decision on a requested waiver may request a meeting with the Board of Directors to review the decision. The decision of the Board of Directors will be final.

#### **IX. BUDGET STRUCTURE**

The fiscal year of the Corporation shall be as determined by the Board of Directors. Its budget shall include income and expenses that are both "cash/or cash equivalents" and "in-kind." The proposed budget for fiscal year 2012 is attached to this Plan as Exhibit 1.

#### **X. AMENDMENTS AND UPDATES**

This Improvement Plan may be amended as permitted or as required by Mass. G.L. c. 40 O, as amended from time to time. This Improvement Plan shall, within the limitations described in G.L. c. 40 O, § 9, be updated by the Board of Directors at least once every three (3) years, and each update shall be effective upon approval of a majority of the electors. An amendment of the Improvement Plan in accordance with G.L. c. 40 O shall be deemed an update of the Improvement Plan.

EXHIBIT 1

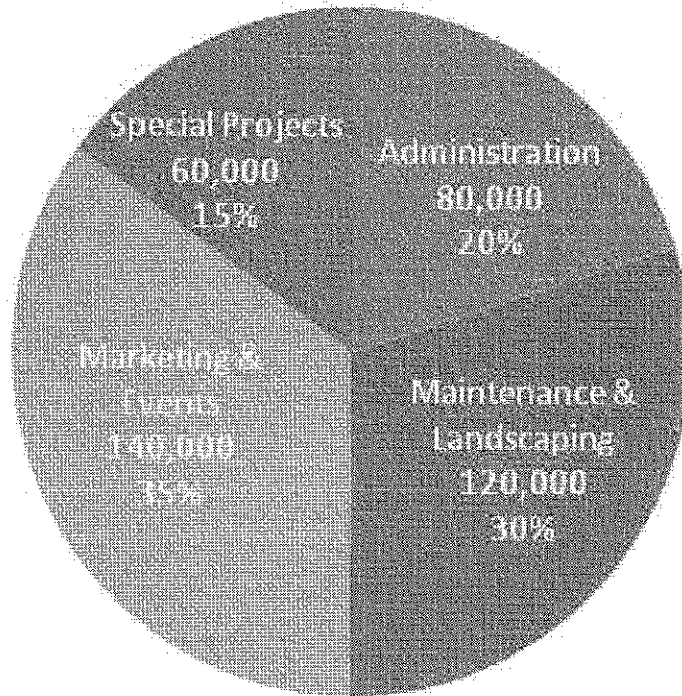
TO THE

AMHERST BUSINESS IMPROVEMENT DISTRICT

IMPROVEMENT PLAN

Estimated Budget for First Fiscal Year

The Amherst Business Improvement District anticipates an aggregate annual budget of approximately \$400,000 of receipts and expenditures, including BID fees, donations, sponsorships, and in kind services. The revenues generated by the BID will be allocated in the following manner:



AmhBID1176462

**EXHIBIT D**

## Exhibit D

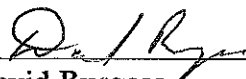
### ASSESSOR CERTIFICATE

#### AMHERST BUSINESS IMPROVEMENT DISTRICT

We, the Assessors for the Town of Amherst, Massachusetts (the "Town"), hereby certify that we have received and reviewed the attached list of assessed real property, real property owners, and the respective signatures (the "BID Signatures") of the aforesaid real property owners within the proposed Business Improvement District for the Town of Amherst (the "BID").

We hereby further certify that the aforesaid BID Signatures that have been submitted for our review are consistent with our Block and Parcel numbers within the BID and that in accordance with Massachusetts General Laws Chapter 40O, § 4, the BID Signatures meet and exceed the required sixty (60%) percent of the real property owners within the BID, and further meet and exceed the fifty-one (51%) percent of the assessed valuation of all real property within the BID.

WITNESS my hand and seal this 6<sup>th</sup> day of September, 2011.

  
By: **David Burgess**  
Principal Assessor, Town of Amherst,  
Massachusetts

# **TOWN CLERK CERTIFICATION**